

10730

## Monge, Elaine (SCA)

**From:** noreply@formstack.com  
**Sent:** Friday, February 24, 2017 6:10 AM  
**To:** Breaches, Data (SCA)  
**Subject:** Security Breach Notifications

### Formstack Submission for form Security Breach Notifications

Submitted at 02/24/17 6:10 AM

**Business Name:** Goldberg, Miller & Rubin, PC

**Business Address:** 121 South Broad Street, Suite 1600  
Philadelphia, PA 19107

**Company Type:** Other

**Your Name:** David Ries

**Title:** Of Counsel

**Contact Address:** One Oxford Centre  
301 Grant Street, 14th Floor  
Pittsburgh, PA 15219

**Telephone Number:** (412) 394-7787

**Extension:**

**Email Address:** dries@clarkhill.com

**Relationship to Org:** Other

**Breach Type:** Electronic

**Date Breach was Discovered:** 10/25/2016

**Number of Massachusetts Residents Affected:** 1

**Person responsible for data breach.:** Other

**Please give a detailed explanation of how the data breach occurred.:**

Goldberg, Miller & Rubin (GMR) was notified in late October of 2016 by a security researcher that he had been able to access electronic files relating to some of GMR's cases. The electronic files were stored at a facility in Philadelphia, PA maintained by GMR's third party service provider for backup and disaster recovery purposes. It appears that the service provider made an error in configuring the backup device in November 2015. GMR's investigation is complete, and at this time GMR is not aware of any unauthorized access to or acquisition of any data (except by the security researcher) and is not aware of any misuse of any of the

information. The security researcher has provided assurances that he did not misuse or further disclose any personally identifiable information, and that he has securely deleted all GMR data.

Please select the type of personal information that was included in the breached data.:

Financial Account Numbers = Selection(s)  
Social Security Numbers = Selection(s)  
Driver's License = Selection(s)

Please check ALL of the boxes that apply to your breach.:

The breach occurred at the location of a third party service provider.  
= Selection(s)

For breaches involving paper: A lock or security mechanism was used to physically protect the data.:

N/A

Physical access to systems containing personal information was restricted to authorized personnel only.:

Yes

Network configuration of breached system:

Internet Access Available

For breaches involving electronic systems, complete the following:

Personal information stored on the breached system was password-protected and/or restricted by user permissions. = Selection(s)

All Massachusetts residents affected by the breach have been notified of the breach.:

Yes

Method(s) used to notify Massachusetts residents affected by the breach (check all that apply)::

US Mail = Selection(s)

Date notices were first sent to Massachusetts residents (MM/DD/YYYY):

02/23/2017

All Massachusetts residents affected by the breach have been offered complimentary credit monitoring services .:

Yes

Law enforcement has been notified of this data breach.:

No

Please describe how your company responded to the breach. Include what changes were made or may be made to prevent another similar breach from occurring.:

Upon discovery of the misconfiguration, the backup device was shut down immediately and GMR is now using an alternate secure service provider. GMR is reviewing and updating its security to provide additional safeguards.

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This is a customer service email.

Formstack, LLC

8604 Allisonville Rd.

Suite 300

Indianapolis, IN 46250



**Monge, Elaine (SCA)**

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**From:** Ries, David G. <dries@clarkhill.com>  
**Sent:** Friday, February 24, 2017 6:40 AM  
**To:** Breaches, Data (SCA)  
**Subject:** Data Breach Notifications Submission  
**Attachments:** Notice Letter MA.pdf

Attached is a sample breach notification letter for Goldberg, Miller & Rubin. The online data breach notification form has been submitted.

David G. Ries  
CLARK HILL PLC  
One Oxford Centre | 301 Grant Street, 14th Fl. | Pittsburgh, PA 15219  
Direct Dial: 412.394.7787 | Cell: 412.580.3664 | Fax: 412.394.2555  
DRies@ClarkHill.com | www.clarkhill.com

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Goldberg, Miller & Rubin P.C.

Processing Center • P.O. BOX 141578 • Austin, TX 78714



05690  
JOHN Q. SAMPLE  
1234 MAIN STREET  
ANYTOWN US 12345-6789

February 23, 2017

### **NOTICE OF DATA BREACH**

Dear John Sample,

We are writing to tell you about a situation that may have exposed some of your personal information between October 2015 and late October 2016. We take the protection of your information very seriously and are contacting you directly to notify you about the incident and resources we are making available to you.

#### **What Information Was Involved?**

We have the data because we represented you or another party in a claim or lawsuit. The information varies, case by case, and may include information provided by you, your attorney, or an insurance company and information collected during investigation and discovery in the case.

Such information may include your contact information, Social Security number, medical records, employment records, driver's license number, driving records, tax records, banking records, and additional information, in addition to publicly available information relating to the claim or lawsuit.

#### **What You Can Do.**

We want to make you aware of steps you may take to guard against potential identity theft or fraud. Please review the enclosed information about Identity Theft Protection about what you can do.

As an added precaution, we have arranged to have AllClear ID protect your identity for twelve months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next twelve months.

The following identity protection services start on the date of this notice and you can use them at any time during the next twelve months. This credit monitoring is being offered to comply with requirements that exist in certain states and, as a result, is being extended to individuals who live in states without such requirements as a courtesy in order to treat individuals equally. The offer therefore is not intended and should not be taken to suggest or acknowledge that recipients of the offer are at any substantial risk of harm.

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-250-7689 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.



AllClear Credit Monitoring: This service offers additional layers of protection including credit monitoring and a \$1 million identity theft insurance policy. For a child under 18 years old, AllClear ID ChildScan identifies acts of credit, criminal, medical or employment fraud against children by searching thousands of public databases for use of your child's information. To use this service, you will need to provide your personal information to AllClear ID. You may sign up online at [enroll.allclearid.com](http://enroll.allclearid.com) or by phone by calling 1-855-250-7689 using the following redemption code: Redemption Code.

Please note: Additional steps may be required by you in order to activate your phone alerts and monitoring options.

**For More Information.**

If you have further questions or concerns about this incident, you can obtain more information from our call center at 1-855-250-7689, Monday through Saturday, 8 am – 8 pm CST. We sincerely regret any inconvenience or concern caused by this incident.

Sincerely,

Jason W. Rubin, Managing Partner  
Goldberg, Miller & Rubin, P.C.  
121 South Broad Street, Suite 1600  
Philadelphia, PA 19107

## **Information about Identity Theft Protection**

We recommend that you regularly review statements from your accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at [www.annualcreditreport.com](http://www.annualcreditreport.com)) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies listed below.

<b>Equifax:</b>	P.O. Box 740241, Atlanta, Georgia 30374-0241, 1-800-685-1111, <a href="http://www.equifax.com">www.equifax.com</a>
<b>Experian:</b>	P.O. Box 9532, Allen, TX 75013, 1-888-397-3742, <a href="http://www.experian.com">www.experian.com</a>
<b>TransUnion:</b>	P.O. Box 1000, Chester, PA 19022, 1-800-888-4213, <a href="http://www.transunion.com">www.transunion.com</a>

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

We recommend you remain vigilant with respect to reviewing your account statements and credit reports, and **promptly report any suspicious activity or suspected identity theft to us and to the proper law enforcement authorities**, including local law enforcement, your state's attorney general and/or the Federal Trade Commission ("FTC"). You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft.

### **Federal Trade Commission, Identity Theft Clearinghouse**

600 Pennsylvania Avenue, NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), [www.identitytheft.gov](http://www.identitytheft.gov) and [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft). You can also request a copy of the publication, "Take Charge: Fighting Back Against Identity Theft" from <http://www.ftc.gov/bcp/edu/pubs/consumer/idtheft/idth04.pdf>.

**For residents of Massachusetts:** You also have the right to obtain a police report.

### **Information about personal health information and medical records**

We recommend that you regularly review the explanation of benefits statement that you receive from your insurer. If you see any service that you believe you did not receive, please contact your insurer at the number on the statement. If you do not receive regular explanation of benefits statements, contact your provider and request them to send such statements following the provision of services in your name or number.

You may want to order copies of your credit reports and check for any medical bills that you do not recognize. If you find anything suspicious, call the credit reporting agency at the phone number on the report. Keep a copy of this notice for your records in case of future problems with your medical records. You may also want to request a copy of your medical records from your provider, to serve as a baseline. If you are a California resident, we suggest that you visit the web site of the California Office of Privacy Protection at [www.privacy.ca.gov](http://www.privacy.ca.gov) to find more information about your medical privacy.

### **Suggestions If You Are a Victim of Identity Theft:**

- **File a police report.** Get a copy of the report to submit to your creditors and others that may require proof of a crime.
- **Contact the U.S. Federal Trade Commission (FTC).** The FTC provides useful information to identity theft victims and maintains a database of identity theft cases for use by law enforcement agencies. File a report with the FTC by calling the FTC's Identity Theft Hotline: 1-877-IDTHEFT (438-4338); online at <http://www.identitytheft.gov>; or by mail at Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Ave., N.W., Washington, D.C. 20580.
- **Keep a record of your contacts.** Start a file with copies of your credit reports, the police reports, any correspondence, and copies of disputed bills. It is also helpful to keep a log of your conversations with creditors, law enforcement officials, and other relevant parties.

**Fraud Alerts:** There are also two types of fraud alerts that you can place on your credit report to put your creditors on notice that you may be a victim of fraud: an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by calling the toll-free fraud number of any of the three national credit reporting agencies listed below.



Equifax: 1-888-766-0008, [www.equifax.com](http://www.equifax.com)  
Experian: 1-888-397-3742, [www.experian.com](http://www.experian.com)  
TransUnion: 1-800-680-7289, [fraud.transunion.com](http://fraud.transunion.com)

**Credit Freezes (for Massachusetts Residents):** Massachusetts law gives you the right to place a security freeze on your consumer reports. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. Using a security freeze, however, may delay your ability to obtain credit. You may request that a freeze be placed on your credit report by sending a request to a credit reporting agency by certified mail, overnight mail or regular stamped mail to the address below:

Equifax: P.O. Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)  
Experian: P.O. Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)  
TransUnion LLC: P.O. Box 2000, Chester, PA, 19022-2000, [freeze.transunion.com](http://freeze.transunion.com)

*Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company.* The following information should be included when requesting a security freeze (documentation for you and your spouse must be submitted when freezing a spouse's credit report): full name, with middle initial and any suffixes; Social Security number; date of birth (month, day and year); current address and previous addresses for the past five (5) years; and applicable fee (if any) or Incident report or complaint with a law enforcement agency or the Department of Motor Vehicles. The request should also include a copy of a government-issued identification card, such as a driver's license, state or military ID card, and a copy of a utility bill, bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue (statement dates must be recent). The credit reporting company may charge a reasonable fee of up to \$5 to place a freeze or lift or remove a freeze, unless you are a victim of identity theft or the spouse of a victim of identity theft, and have submitted a valid police report relating to the identity theft to the credit reporting company.

## **AllClear Identity Repair Terms of Use**

If you become a victim of fraud using your personal information without authorization, AllClear ID will help recover your financial losses and restore your identity. Benefits include:

- 12 months of coverage with no enrollment required.
- No cost to you — ever. AllClear Identity Repair is paid for by the participating Company.

### **Services Provided**

If you suspect identity theft, simply call AllClear ID to file a claim. AllClear ID will provide appropriate and necessary remediation services ("Services") to help restore the compromised accounts and your identity to the state prior to the incident of fraud. Services are determined at the sole discretion of AllClear ID and are subject to the terms and conditions found on the AllClear ID website. AllClear Identity Repair is not an insurance policy, and AllClear ID will not make payments or reimbursements to you for any financial loss, liabilities or expenses you incur.

### **Coverage Period**

Service is automatically available to you with no enrollment required for 12 months from the date of the breach incident notification you received from Company (the "Coverage Period"). Fraud Events (each, an "Event") that were discovered prior to your Coverage Period are not covered by AllClear Identity Repair services.

### **Eligibility Requirements**

To be eligible for Services under AllClear Identity Repair coverage, you must fully comply, without limitations, with your obligations under the terms herein, you must be a citizen or legal resident eighteen (18) years of age or older, and have a valid U.S. Social Security number. Minors under eighteen (18) years of age may be eligible, but must be sponsored by a parent or guardian. The Services cover only you and your personal financial and medical accounts that are directly associated with your valid U.S. Social Security number, including but not limited to credit card, bank, or other financial accounts and/or medical accounts.

### **How to File a Claim**

If you become a victim of fraud covered by the AllClear Identity Repair services, you must:

- Notify AllClear ID by calling 1.855.434.8077 to report the fraud prior to expiration of your Coverage Period;
- Provide proof of eligibility for AllClear Identity Repair by providing the redemption code on the notification letter you received from the sponsor Company;
- Fully cooperate and be truthful with AllClear ID about the Event and agree to execute any documents AllClear ID may reasonably require; and
- Fully cooperate with AllClear ID in any remediation process, including, but not limited to, providing AllClear ID with copies of all available investigation files or reports from any institution, including, but not limited to, credit institutions or law enforcement agencies, relating to the alleged theft.

### **Coverage under AllClear Identity Repair Does Not Apply to the Following:**

Any expense, damage or loss:

- Due to
  - Any transactions on your financial accounts made by authorized users, even if acting without your knowledge, or
  - Any act of theft, deceit, collusion, dishonesty or criminal act by you or any person acting in concert with you, or by any of your authorized representatives, whether acting alone or in collusion with you or others (collectively, your "Misrepresentation");
- Incurred by you from an Event that did not occur during your coverage period; or
- In connection with an Event that you fail to report to AllClear ID prior to the expiration of your AllClear Identity Repair coverage period.

### **Other Exclusions:**

- AllClear ID will not pay or be obligated for any costs or expenses other than as described herein, including without limitation fees of any service providers not retained by AllClear ID; AllClear ID reserves the right to investigate any asserted claim to determine its validity.
- AllClear ID is not an insurance company, and AllClear Identity Repair is not an insurance policy; AllClear ID will not make payments or reimbursements to you for any loss or liability you may incur.
- AllClear ID is not a credit repair organization, is not a credit counseling service, and does not promise to help you improve your credit history or rating beyond resolving incidents of fraud.
- AllClear ID reserves the right to reasonably investigate any asserted claim to determine its validity. All recipients of AllClear Identity Repair coverage are expected to protect their personal information in a reasonable way at all times. Accordingly, recipients will not deliberately or recklessly disclose or publish their Social Security number or any other personal information to those who would reasonably be expected to improperly use or disclose that Personal Information.

### **Opt-out Policy**

If for any reason you wish to have your information removed from the eligibility database for AllClear Identity Repair, please contact AllClear ID:

<b>E-mail</b> support@allclearid.com	<b>Mail</b> AllClear ID, Inc. 823 Congress Avenue Suite 300 Austin, Texas 78701	<b>Phone</b> 1.855.434.8077
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